

HOUSE BILL 8

P1

EMERGENCY BILL

2lr4573
CF SB 21

By: **Delegates Smigiel, Afzali, Boteler, Cluster, Elliott, Glass, Haddaway–Riccio, Hershey, Hough, Jacobs, Kach, Krebs, McComas, McDermott, Parrott, Ready, Schulz, and Vitale**

Introduced and read first time: October 17, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Planning – Local and Regional Planning and Land Use**
3 **Powers – Prohibition on Restriction**

4 FOR the purpose of prohibiting the Department of Planning from adopting regulations
5 or taking certain actions that restrict the planning and land use powers of
6 certain local governments or regional planning agencies; making this Act an
7 emergency measure; and generally relating to the authority of the Department
8 of Planning regarding the restriction of planning and land use powers of local
9 governments and regional planning agencies.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 5–312

13 Annotated Code of Maryland

14 (2009 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – State Finance and Procurement**

18 **5–312.**

19 **NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT MAY NOT ADOPT**
20 **ANY REGULATION OR TAKE ANY ACTION THAT RESTRICTS THE PLANNING AND**
21 **LAND USE POWERS OF ANY LOCAL GOVERNMENT OR REGIONAL PLANNING**
22 **AGENCY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety,
3 has been passed by a yea and nay vote supported by three-fifths of all the members
4 elected to each of the two Houses of the General Assembly, and shall take effect from
5 the date it is enacted.